THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12254 of 2007

Dated: 14.06.2007

Between:

M. Srinath.

.... PETITIONER

AND

The Vice Chairman & Managing Director, APSRTC, Musheerabad, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12254 of 2007

ORDER:

This writ petition is filed seeking to declare the proceedings dated 27.04.2007 of the respondent-APSRTC, placing the petitioner under suspension, as illegal and arbitrary, and consequently, to direct the respondent-APSRTC to revoke the suspension of the petitioner and reinstate him into service with all consequential benefits.

2. The petitioner, while working as Conductor in the respondent-APSRTC, was suspended from service on 23.10.2006 on certain allegations. Against the said suspension order, he filed an appeal and the same was allowed on 19.02.2007 and his suspension was revoked. After revocation of his suspension order, he joined as Conductor at Parakal Depot on 26.02.2007, and while working as such, based on a complaint dated 26.03.2007 lodged by one

Smt K. Kavita, stating that the petitioner abused her in filthy language, a preliminary enquiry was conducted against him. The petitioner states that without considering the statement made by him in the preliminary enquiry, the 3rd respondent has passed the impugned suspension order-cum-charge sheet on 27.04.2007. Hence, he filed the present writ petition.

3. The learned counsel for the petitioner submitted that the petitioner has not submitted any explanation to the impugned suspension order.

4. It is not proper for this Court to interfere with the order of suspension pending enquiry, and more so when suspension pending enquiry is not a punishment. However, the petitioner is at liberty to submit his explanation to the impugned suspension order, and if the petitioner submits his explanation, the respondents shall consider the case of the petitioner for revocation of suspension in the light of the material available on record.

5. With the observations as above, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 14.06.2007

sj